

**THIS IS A DRAFT AND WILL BE REPLACED BY THE FINAL, SIGNED
ORDINANCE OR RESOLUTION ADOPTED BY CITY COUNCIL.**

AN ORDINANCE

**AUTHORIZING THE EXTENSION AND THIRD AMENDMENT TO THE
ALAMODOME ADVERTISING LICENSE AGREEMENT FOR POURING
AND ADVERTISING RIGHTS WITH BOTTLING GROUP, LLC D/B/A
PEPSI BEVERAGES COMPANY TO EXTEND THE TERM FOR NINETY
DAYS THROUGH FEBRUARY 22, 2014, WITH UP TO THREE
ADDITIONAL NINETY-DAY EXTENSIONS, AS A TRANSITION
PERIOD FOR THE CITY TO DETERMINE THE PROVISION OF THESE
SERVICES IN THE FUTURE.**

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WHEREAS, Ordinance No. 98468, dated November 13, 2003, authorized an Alamodome Advertising License Agreement (“Agreement”) with Pepsi, including pouring rights, for an initial term of five years, with a five-year renewal option, and the Agreement was subsequently amended to exercise the five-year renewal option extending it through November 22, 2013 and later to add the Henry B. Gonzalez Convention Center and City golf courses into the Agreement; and

WHEREAS, in order to allow sufficient time to determine the provision of these services in the future, City staff proposes to extend the Agreement for ninety days, with up to three additional ninety-day extension options, however if a new contract for pouring rights is executed prior to the end of any of the proposed extension options, the Agreement shall automatically terminate; and

WHEREAS, the estimated total revenue to the City during the full extension period is \$79,036.00; **NOW THEREFORE:**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. The terms and conditions of the Extension and Third Amendment to the Alamodome Advertising License Agreement with Bottling Group, LLC d/b/a Pepsi Beverages Company, extending the Agreement through February 22, 2014, with three additional 90-day extensions, are authorized and approved. The City Manager, or her designee, is authorized to execute the Extension and Third Amendment. A copy of the Extension and Third Amendment, previously executed by Pepsi Beverages Company, is attached to this Ordinance as **Exhibit I**.

SECTION 2. Funds generated by this Ordinance will be deposited as per the table below:

Amount	General Ledger	Internal Order	Fund
\$10,000.00	4407734	245000000004	29016000
\$891.00	4401880	245000000372	29016000
\$9,101.00	4809210	242000002880	29006000
Total Amt \$19,992.00			

SECTION 3. The financial allocations in this Ordinance are subject to approval by the Director of Finance, City of San Antonio. The Director of Finance, may, subject to concurrence by the City Manager or the City Manager's designee, correct allocations to specific SAP Fund Numbers, SAP Project Definitions, SAP WBS Elements, SAP Internal Orders, SAP Fund Centers, SAP Cost Centers, SAP Functional Areas, SAP Funds Reservation Document Numbers, and SAP GL Accounts as necessary to carry out the purpose of this Ordinance.

SECTION 4. This Ordinance shall take effect immediately upon the receipt of eight affirmative votes; otherwise it shall be effective ten days after its passage.

PASSED AND APPROVED this 21st day of November, 2013.

M A Y O R
Julián Castro

ATTEST:

APPROVED AS TO FORM:

Leticia M. Vacek, City Clerk

Michael D. Bernard, City Attorney